

**Maryland Board of Pharmacy
Public Board Meeting**

**Agenda
August 19, 2020**

Name	Title	Present	Absent
Ashby, D.	Commissioner		
Bouyoukas, E	Commissioner		
Evans, K.	Commissioner		
Fink, K.	Commissioner		
Hardesty, J.	Commissioner/Treasurer		
Geigher, P.	Commissioner		
Leikach, N.	Commissioner		
Morgan, K.	Commissioner/President		
Oliver, B	Commissioner		
Rusinko, K.	Commissioner/Secretary		
Singal, S.	Commissioner		
Yankellow, E.	Commissioner		
Bethman, L.	Board Counsel		
Felter, B.	Board Counsel		
Speights-Napata, D.	Executive Director		
Fields, E.	Deputy Director /Operations		
James, D.	Licensing Manager		
Leak, T.	Compliance Director		
Clark, B.	Legislative Liaison		
Chew, C.	Management Associate		

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)
I. Executive Committee Report(s)	A.) K. Morgan, Board President B.) K. Rusinko, Secretary	<p><i>Members of the Board with a conflict of interest relating to any item on the agenda are advised to notify the Board at this time or when the issue is addressed in the agenda.</i></p> <ol style="list-style-type: none"> 1. Call to Order 2. Sign-in Introduction and of meeting attendees – <i>(Please indicate on sign-in sheet if you are requesting CE Units for attendance)</i> 3. Distribution of Agenda and packet materials 4. Review and approve July 2020 Public Meeting Minutes 	
II. A. Executive Director Report	D. Speights-Napata, Executive Director	<ol style="list-style-type: none"> 1. Criminal Background Locations 2. COVID-19 Procedural Update 3. Fraudulent Prescription Information Sharing Update 4. NABP District 1 and 2 Virtual Meeting Update 5. Board Staffing Update 6. Board office closed--September 7th--Labor Day 	
B. New Business	K. Morgan, Board President	<ol style="list-style-type: none"> 1. TCT Regulations Update--Commissioner Daniel Ashby, TCT Committee Chair 	
C. Operations	E. Fields, Deputy Director/Operations	<ol style="list-style-type: none"> 1. Procurement and Budget Updates a: July 2020 Financial Statements 2. Management Information Systems (MIS) Unit Updates a: MLO and NABP connectivity 	
D. Licensing	E. Bouyoukas, Commissioner	<ol style="list-style-type: none"> 1. Unit Updates 	

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)
---------	-------------------	------------	-------------------------------

		<table><tr><th colspan="5">2. Monthly Statistics</th></tr><tr><th>License Type</th><th>New</th><th>Renewed</th><th>Reinstated</th><th>Total</th></tr><tr><td>Distributor</td><td>12</td><td>1</td><td>0</td><td>1,409</td></tr><tr><td>Pharmacy</td><td>17</td><td>6</td><td>0</td><td>2,081</td></tr><tr><td>Pharmacist</td><td>106</td><td>481</td><td>0</td><td>12,692</td></tr><tr><td>Vaccination</td><td>47</td><td>167</td><td>0</td><td>4,911</td></tr><tr><td>Pharmacy Intern - Graduate</td><td>6</td><td>0</td><td>0</td><td>69</td></tr><tr><td>Pharmacy Intern - Student</td><td>41</td><td>11</td><td>0</td><td>793</td></tr><tr><td>Pharmacy Technician</td><td>143</td><td>349</td><td>3</td><td>10,409</td></tr><tr><td>Pharmacy Technician-Student</td><td>0</td><td>0</td><td>0</td><td>35</td></tr><tr><td>TOTAL</td><td>372</td><td>1,015</td><td>3</td><td>32,399</td></tr></table>	2. Monthly Statistics					License Type	New	Renewed	Reinstated	Total	Distributor	12	1	0	1,409	Pharmacy	17	6	0	2,081	Pharmacist	106	481	0	12,692	Vaccination	47	167	0	4,911	Pharmacy Intern - Graduate	6	0	0	69	Pharmacy Intern - Student	41	11	0	793	Pharmacy Technician	143	349	3	10,409	Pharmacy Technician-Student	0	0	0	35	TOTAL	372	1,015	3	32,399	
2. Monthly Statistics																																																										
License Type	New	Renewed	Reinstated	Total																																																						
Distributor	12	1	0	1,409																																																						
Pharmacy	17	6	0	2,081																																																						
Pharmacist	106	481	0	12,692																																																						
Vaccination	47	167	0	4,911																																																						
Pharmacy Intern - Graduate	6	0	0	69																																																						
Pharmacy Intern - Student	41	11	0	793																																																						
Pharmacy Technician	143	349	3	10,409																																																						
Pharmacy Technician-Student	0	0	0	35																																																						
TOTAL	372	1,015	3	32,399																																																						
E. Compliance	T. Leak, Compliance Director	<table><tr><td>1. Unit Updates</td></tr><tr><td>2. Monthly Statistics</td></tr><tr><td>Complaints & Investigations:</td></tr></table>	1. Unit Updates	2. Monthly Statistics	Complaints & Investigations:																																																					
1. Unit Updates																																																										
2. Monthly Statistics																																																										
Complaints & Investigations:																																																										

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)
		<p>New Complaints – 20</p> <ul style="list-style-type: none"> • Customer Service – 2 • Licensing Issues – 1 • Refusal to Fill – 5 • Disciplinary Action in Another State – 3 • Expired OTC – 1 • Late Reporting to PDMP – 1 • Dispensing without a Permit – 1 • Inspection Issues – 6 <p>Resolved (Including Carryover) – 27 Actions within Goal – 24/27 Final disciplinary actions taken – 9 Summary Actions Taken – 2 Average days to complete – 87</p> <p>Inspections:</p> <p>Total - 142 Annual Inspections - 133 Opening Inspections - 5 Closing Inspections - 4 Relocation/Change of Ownership Inspections - 0 Board Special Investigation Inspections – 0</p>	
F. Legislation & Regulations	B. Clark, Legislative Liaison	<p><u>Regulations</u> None</p>	

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)
---------	-------------------	------------	-------------------------------

		<u>Legislation</u> None	
III. Committee Reports A. Practice Committee	Evans, K. Commissioner	<p>Getose Altine: In light of our current health crisis, I'm following up on an inquiry that we've discussed about a year ago. I believe the Board was looking into it, but I have not seen any updates. My question was as a Maryland licensed non-resident pharmacist (I'm in FL), does the pharmacist authority to prescribe contraceptives in MD extend to non-resident pharmacists as well, once training is completed?</p> <p>Most of the interactions between patients and their providers are happening on an electronic basis nowadays and more states are broadening the traditional role of pharmacists (ex. effective 7/1/20, FL pharmacists, under a collaborative practice agreement, can manage, prescribe, test, treat for non-chronic health conditions.)</p> <p>Proposed response: Thank you for your inquiry.</p> <p>With regard to whether prescribing and dispensing pharmaceuticals is permissible, please check with your home-state Board of Pharmacy to determine whether these practices are permissible under the scope of practice for your individual license.</p> <p>If prescribing and dispensing contraceptives is permitted by your home-state board, and you have met all of the Maryland Board of Pharmacy's requirements for prescribing and dispensing contraceptives then the Maryland Board would permit you to carry out these services for Maryland patients.</p> <p>Furthermore, with regard to providing telehealth services, please note that Maryland law has specific requirements pertaining to the</p>	

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)
		<p>provision of telehealth services. If you plan to deliver services in this manner, please review Md. Code, Health Occ. § 1-1001-1006 to ensure compliance.</p> <p>Please also note that you will be expected to comply with your home-state laws and regulations regarding the provision of telehealth services if you determine that you would like to move forward</p>	
B. Licensing Committee	D. Ashby, Chair	<p>1. Review of Pharmacist Applications:</p> <ul style="list-style-type: none"> a. #122813 - Applicant is requesting an extension of her Board application. Due to COVID 19 her previously scheduled exam (early spring) was rescheduled to July 11, 2020, which she failed. <i>Committee recommendation: Deny, must reapply</i> b. #122523 - Applicant is requesting an extension of her Board application. Due to COVID 19 her previously scheduled exam for March was rescheduled to June. Due to health issues her exam was rescheduled again until August. <i>Committee recommendation: Deny, must reapply</i> c. #121934 - Applicant is requesting an extension of her Board application. Due to COVID 19 delaying testing earlier this year she was not able to test prior to the expiration of her Board application. <i>Committee recommendation: Deny</i> d. #120631 - Applicant is requesting an extension of her ATT approval for the MPJE. She was on maternity leave last year and did not get a chance to take the MPJE. She was previously approved for a 9-month extension of the Board's Reciprocity application at the April 2020 Board meeting. 	

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)
		<p><i>Committee recommendation: Approve ATT extension to align with the expiration date of her application.</i></p> <p>e. #125002 - Applicant is requesting approval to take the MPJE for the seventh time. <i>Committee recommendation: Approve</i></p> <p>f. #118419 - Applicant is requesting an extension of his ATT approval for the MPJE. He was scheduled to sit for the MPJE on 07/06/2020 in Florida, however, due to health concerns regarding COVID 19 he cancelled his appointment. <i>Committee recommendation: Must reapply with the Board. ATT extension to align with the expiration date of application once submitted.</i></p> <p>g. #122843 - Applicant is requesting an extension of his Board application. Due to COVID 19 testing delays he is unable to test until October. <i>Committee recommendation: Deny, must reapply</i></p> <p>h. #123629 - Applicant is requesting an extension of her NAPLEX score which expired 12/20/2019. MPJE has been taken 4 times. <i>Committee recommendation: Approve extension of NAPLEX score until October 2020 to be in line with expiration date of application.</i></p> <p>i. #120434 - Applicant is requesting an extension of her ATT which expired in February. Prior to the expiration of her ATT, there were no available locations to test. <i>Committee recommendation: Deny, must reapply with the Board and reapply with NABP.</i></p>	

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)
		<p>j. #126386 - Applicant is requesting a waiver of the FPGEC requirement. Due to conflict in his home country he was unable to have his schooling confirmed. <i>Committee recommendation: Deny</i> STEVE BOUYOUKAS RECUSED</p> <p>k. #126079 - Application is requesting approval to take the MPJE for a sixth time. <i>Committee recommendation: Approve</i></p> <p>l. #122603 - Applicant is requesting an extension of her Board of Pharmacy application. Her original testing date, in the spring of 2020 was cancelled due to COVID 19. Her exam has been rescheduled for August 2020. <i>Committee recommendation: Deny</i></p> <p>m. #121489 - Applicant is requesting an extension of her ATT approval. Due to COVID 19 she did not have the full 12-month timeframe to test. <i>Committee recommendation: Deny</i></p> <p>n. #123355 - Applicant is requesting an extension of her ATT approval, which expires in November 2020. She is concerned that due to Pearson Vue closures due to COVID 19 she may not be able to test in time. <i>Committee recommendation: Deny. Test centers are now open; inform her she has until the expiration date of her application to meet the requirements, otherwise she will need to reapply.</i></p> <p>o. #126532 - Applicant graduated pharmacy school in 1990 and has not been a licensed as a pharmacist.</p>	

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)
		<p><i>Committee recommendation: Must be registered as an Intern to obtain the additional 915 experience hours.</i></p> <p>p. #122924 - Applicant is requesting an extension of his ATT approval and Board application. He is scheduled to test on 08/04/2020 however the due to the increase in COVID 19 cases and the distance to the testing center (500 miles from his home), he's not comfortable with taking the test on the 4th. <i>Committee recommendation: Deny, testing centers are open, must reapply if not tested before expiration of Board's application.</i></p> <p>q. #125905 - Applicant is requesting the Board extends her NAPLEX score which expires 09/14/2020 in order for her to take and pass the MPJE. <i>Committee recommendation: Approve, extend NAPLEX to align with expiration of Board's application.</i></p> <p>r. #124998 - Applicant is requesting an extension of her NAPLEX ATT as she is unable to find a testing location. <i>Committee recommendation: Approve, extend until 03/11/2021.</i></p> <p>s. #121239 - Applicant is requesting reconsideration of the Board's denial of her request for an extension to take the MPJE. She explains her work hours have been reduced and she cannot afford to reapply. Her original request was presented at the June 2020 Board meeting. <i>Committee recommendation: Deny, must reapply</i></p>	

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)
		<p>t. #126545 - Applicant is requesting a refund of her application fee of \$300 due to sudden changes in her life. Cancellation of the application was requested prior to receipt of the application. <i>Committee recommendation: Approve refund.</i></p> <p>2. Review of Pharmacy Intern Applications: NONE</p> <p>3. Review of Pharmacy Technician Applications: NONE</p> <p>4. Review of Distributor Applications: NONE</p> <p>5. Review of Pharmacy Applications: NONE</p> <p>6. Review of Pharmacy Technicians Training Programs:</p> <p>a. Peninsula Regional Medical Center <i>Committee recommendation: Approve</i></p> <p>b. Wise Technician Training Program <i>Committee recommendation: Approve</i></p> <p>c. Medstar Health Pharmacy Technician Training Program <i>Committee recommendation: Approve</i> KARLA EVANS RECUSED</p> <p>7. Continuing Education Requests:</p> <p>a. JPP - State of the Art Scientific Presentations (2.5 hours) <i>Committee recommendation: Deny, no information provided regarding program, content and application to pharmacists.</i></p>	

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)
		<p>8. New Business:</p> <p>a. Reliance Wholesale - Facility has been shut down due to an employee testing positive for COVID 19. Company is requesting that operations be allowed from their second location in Tennessee, which is not permitted with the Board. Tennessee facility is not located in a reciprocal state or accredited. <i>Committee recommendation: Approve for “Emergency Medical Reasons”, must resume business at the FL facility as soon as possible.</i></p> <p>b. Becca Mitchell - Her client is a Pharmacy who is requesting 90-120 days to replace the Maryland licensed pharmacist. <i>Committee recommendation: Approve</i></p> <p>c. Tidewater Drug and Health Care - Company is requesting the Board reconsider its denial of the Pharmacy’s request for a refund of renewal fee. The Board denied the request for a refund at the July 2020 meeting. <i>Committee recommendation: Deny, provide reason.</i> SURINDER SINGAL IS RECUSED</p> <p>d. XS - Registrant XS is requesting an extension of her Intern registration as COVID 19 is prohibiting her from scheduling and taking the exams for the Pharmacist license. <i>Committee recommendation: Approve until 07/2021.</i></p>	
C. Public Relations Committee	E. Yankellow, Chair	Public Relations Committee Update:	

Subject	Responsible Party	Discussion	Action Due Date (Assigned To)
----------------	--------------------------	-------------------	--

D. Disciplinary	J. Hardesty, Chair	Disciplinary Committee Update	
E. Emergency Preparedness Task Force	N. Leikach, Chair	Emergency Preparedness Task Force Update	
IV. Other Business & FYI	K. Morgan, President		
V. Adjournment	K. Morgan, President	<p>A. The Public Meeting was adjourned.</p> <p>B. K. Morgan convened a Closed Public Session to conduct a medical review committee evaluation of confidential applications.</p> <p>C. The Closed Public Session was adjourned. Immediately thereafter, K. Morgan convened an Administrative Session for purposes of discussing confidential disciplinary cases.</p> <p>D. With the exception of cases requiring recusals, the Board members present at the Public Meeting continued to participate in the Closed Public Session and the Administrative Session.</p>	